

REMARKS

Claims 7-8, 10-19, and 21-28 are pending and at issue. Reconsideration and allowance of all pending claims are respectfully requested.

The present Office action rejects claims 7-8, 10-19, and 21-28 under 35 U.S.C. 103(a) as being unpatentable over Spindler et al. (U.S. Patent No. 5,509,538) in view of Lipps (U.S. Patent No. 6,760,643) and further in view of Wegrzyn (U.S. Patent No. 5,685,098).

Applicants respectfully traverse this rejection.

Independent claims 7 and 18 recite a stock order assembling apparatus that includes two location indicators for simultaneously indicating locations of both a storage bin associated with a current picking operation and a storage bin associated with a subsequent picking operation. More specifically, claim 7 requires "at least two location indicators associated with the storage bins, a first location indicator comprising a light associated with each storage bin, and a second location indicator comprising a direction display." In addition, claim 7 specifies that the computer "illuminates the light for the storage bin associated with the specific stock item in the current pick operation, and operates the direction display to indicate a direction of a storage bin associated with a subsequent pick operation."

Accordingly, it is clear that both the lights and the direction display are used to indicate the location of storage bins from which stock items are to be picked. Furthermore, the light indicates the location of the bin for the stock item in the current pick operation, while the direction display indicates the location of the bin for the stock item in the subsequent pick operation. It is not seen that the cited prior art discloses or suggests such apparatus.

As an initial point, the rejection as stated in the Office action fails to address the current language of the claims. In general, the specifics of the rejection fail to follow the organization and language of the current claims. In particular, the claims now specify at least two location indicators: a light associated with each storage bin and a direction display. Furthermore, the claims as previously amended more clearly specify that the two location indicators are used to identify different bins. The light identifies the location of the storage bin for a current pick operation, while the direction display indicates a direction of the storage bin associated with a subsequent pick operation. By failing to address this claim language, the rejection as stated is incomplete and must be withdrawn. Should the Examiner persist with this rejection, Applicants request that a new, non-final Office action be issued

specifically addressing the current claim language so that Applicants may fully comprehend the Examiner's position.

Notwithstanding the deficiencies in the rejection as stated as noted above, the cited prior art fails to disclose or suggest the subject matter of claim 7. Specifically, the prior art, both individually and in combination, fails to teach apparatus having at least two location indicators, wherein a first location indicator in the form of a light indicates a location of a storage bin for a current pick operation and a second location indicator in the form of a direction display indicates the location of a storage bin for a subsequent pick operation. By providing information on both locations, a worker can not only perform the current picking operation but can plan ahead for the bin location for the subsequent picking operation.

Spindler et al. fail to disclose or suggest any structure for indicating a location of a storage bin for a subsequent picking operation. Instead, Spindler et al. disclose a location display 40 to "display an identifier, such as flow rack number, to direct worker 20 to the proper SKU batch in his pick zone." Column 9, lines 6-10. Spindler et al. teach that the location display 40 directs a worker to stock items only for a current pick operation:

The pick display 38 on each ODU 34 in the worker's put zone displays the total number of items to be picked from the SKU batch in that pick cycle...(Column 9, lines 12-15)

Consequently, no part of the location display 40 provides any information as to the location of a storage bin for a subsequent pick operation, as specified in claim 7. As such, Spindler et al. fail to teach or suggest each element of the claims.

To cover this deficiency in the prior art, the Examiner offers a subjective interpretation of the word "subsequent" that is contrary to its ordinary meaning and context as used in the application. Specifically, the Examiner demonstrates disregard for the plain meaning of the claim language and a lack of understanding of the current invention in opining:

...that a [sic] the order identified on the display (40) can be construed to be a subsequent order since it has not been picked yet. Once it has been picked, the display will change to another order, and the bin location and direction would be expected to reflect the information for this order.

According to the Examiner's interpretation, a "subsequent" order is the same as a "current" order, and therefore the two location indicators are merely redundant units which both indicate the location of the same storage bin.

To be sure the location indicators specified in claim 7 **are not redundant**. They **do not** simply provide the same information in two different manners. **Instead, they simultaneously provide location information for two different bins**. Specifically, the first location indicator indicates a location of a storage bin for a current picking operation while the second location indicator indicates a location of a storage bin for a subsequent picking operation. The terms "current" and "subsequent" are intended to have their plain meaning to distinguish two different storage bins. Furthermore, the Examiner cannot have it both ways: either Spindler et al. disclose a display providing information on a "current" pick, in which case they fail to disclose or suggest an indicator for a "subsequent" pick, or vice versa. Either way, Spindler et al. fails to disclose or suggest each element of the claims. It appears to Applicants that a more reasonable interpretation of the claim language is the former, in which case Spindler et al. fail to disclose or suggest apparatus for providing location information for a bin associated with a subsequent pick, as specified in claim 7.

The Examiner further improperly applies Spindler et al. to the claims. As raised in Applicants' previous response, bicolor LED 46 of Spindler et al. is not responsive to the storage bin light recited in the claims. The claimed light indicates the location of a bin in which a stock item is stored. During a pick operation, one or more items are taken from the bin and placed into a container. In contrast, the LED 46 of Spindler et al. is used to identify a "put zone" corresponding to the cars 22 and associated cartons 28 into which items will be placed. Column 8, lines 49-55. Accordingly, the LED 46 is not associated with a bin holding items to be picked, as specified in claim 7, but is associated with a car or carton into which items are to be placed. The distinction is significant, since the claimed apparatus having both a light and a direction display associated with the storage bins allows a stock worker to have advanced notice of the location of the stock item in a subsequent pick operation. Spindler et al. fail to suggest such a benefit, let alone teach structure for accomplishing it.

Lipps also fails to disclose or suggest apparatus for indicating a location of a storage bin for a subsequent picking operation, as specified in claim 7. As best understood from the Office action, the Examiner relies on Lipps to disclose the use of a light associated with a storage bin. Lipps teaches that this light is used to identify the location of a first or current compartment needing restocking. Lipps fails to disclose or suggest a second direction indicator for simultaneously indicating location of a second compartment to be restocked in a subsequent action.

Wegrzyn similarly fails to disclose or suggest apparatus for indicating a location of a storage bin for a subsequent picking operation, as specified in claim 7. Wegrzyn is cited for its disclosure of "a direction indicator." Wegrzyn fails to disclose or suggest two location indicators associated with storage bins, wherein a first location indicator includes a light that is operated by a computer to indicate a location of a storage bin associated with a current pick operation, and a second location indicator includes a direction display that is operated by the computer to indicate the direction of a storage bin associated with a subsequent pick operation. Accordingly, claim 7 is patentable over the combination of Spindler et al. and Wegrzyn.

Independent claim 18 includes the same elements noted above with respect to claim 7, and therefore is similarly patentable over the cited prior art. Furthermore, claims 8, 10-17, 19, and 21-28 all depend directly or indirectly from independent claims 7 and 18, and therefore are also patentable over the cited prior art.

CONCLUSION

It is submitted that claims 7-8, 10-19, and 21-28 of as appearing in the present application are in good and proper form for allowance. A favorable action on the part of the Examiner is respectfully solicited.

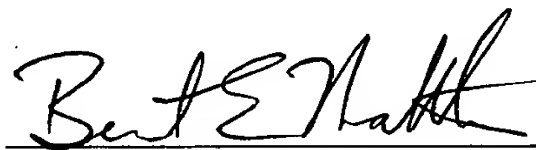
If, in the opinion of the Examiner a telephone conference would expedite prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

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